



Docket No.: 245748US0CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/716,865
Applicants: Nobuya MATSUOKA, et al.
Filing Date: November 20, 2003
For: METHOD FOR THE TREATMENT OF
PARKINSON'S DISEASE COMPRISING
ADMINISTERING AN A, A2A RECEPTOR DUAL
ANTAGONIST
Group Art Unit: 1614
Examiner: Michel Graffeo

SIR:

Attached hereto for filing are the following papers:

Election and Response to Restriction Requirement

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

NOBUYA MATSUOKA, ET AL.

SERIAL NO: 10/716,865

FILED: NOVEMBER 20, 2003

FOR: METHOD FOR THE TREATMENT
OF PARKINSON'S DISEASE
COMPRISING ADMINISTERING AN A,
A2A RECEPTOR DUAL ANTAGONIST

:

: EXAMINER: MICHEL GRAFFEO

:

: GROUP ART UNIT: 1614

:

ELECTION AND RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated January 19, 2007, the Applicants elect with traverse, **Group II, Claims 39-48** (composition) and **Species 1** as described in Claim 42 and having the core structure shown on page 3 of the Restriction Requirement.

The traverse is on the grounds that no undue burden would be imposed in the examination of the claims of Group I (method of treatment) and Group II (composition) together, since substantially similar searches are required for both groups. The lack of burden is evident, since Claims 19-38, which are directed to similar subject matter, have already been searched and examined together. Moreover, the Requirement does not establish why Species 1, 2 and 3 are considered patentably distinct.

In the event that the Restriction Requirement is maintained, the Applicants respectfully request that the claims of the nonelected group which depend from or otherwise include all the limitations of an allowed elected claim, be rejoined upon an indication of


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Reply to Restriction Requirement of January 19, 2007

allowability for the elected claim, see MPEP 821.04. It is the Applicants understanding that additional species will be examined upon an indication of allowability for a generic claim reading on the elected species. Accordingly, the Applicants respectfully request that the Restriction Requirement be withdrawn and all the claims examined together.

Respectfully submitted,

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